

ISW/1746



Docket No.: 4266-0109PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas RODERER et al.

Application No.: 10/551,963

Confirmation No.: 6129

Filed: October 5, 2005

Art Unit: N/A

For: DISHWASHER FOR KOSHER OPERATION

Examiner: Not Yet Assigned

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Subsequent to the filing of the above-identified application on October 5, 2005, attached hereto is an English Translation of the International Preliminary Report on Patentability issued by the International Bureau on behalf of the International Searching Authority. Please make this document of record for the above-identified application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: October 6, 2006

Respectfully submitted,

By

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH,
LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attachment(s) **PCT/IB/373, PCT/ISA/237** Attorney for Applicant

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference ME62536PC	FOR FURTHER ACTION See item 4 below	
International application No. PCT/EP2004/013764	International filing date (day/month/year) 03 December 2004 (03.12.2004)	Priority date (day/month/year) 08 December 2003 (08.12.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant MEIKO MASCHINENBAU GMBH & CO. KG		

- This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
- This REPORT consists of a total of 8 sheets, including this cover sheet.
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
- This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input checked="" type="checkbox"/> Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/> Box No. VIII	Certain observations on the international application
- The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70 Form PCT/IB/373 (January 2004)	Date of issuance of this report 29 August 2006 (29.08.2006)
	Authorized officer Agnes Wittmann-Regis e-mail: pt06@wipo.int

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/013764

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

belt is switched off in the event of overload and
switch off by means of light barriers.

The interior of the dishwasher is cleaned on account of
the novel mode "kosher step"; the use of different
curtains in the various modes of operation prevents food
residues from one mode of operation coming into contact
with the tableware washed in a second mode of operation.

Neither the problem nor the corresponding solution can be
found in the cited documents.

Accordingly, the subject matter of claim 1 is novel
within the meaning of PCT Article 33(2) and involves an
inventive step within the meaning of PCT Article 33(3).

The claimed method is industrially applicable in the
field of domestic appliances. The requirements of PCT
Article 33(4) are therefore met.

Claims 2-10 are dependent on claim 1 and therefore
likewise meet the PCT requirements for novelty and
inventive step.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/EP2004/013764

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Contrary to PCT Rule 5.1(a)(ii), the description does not cite document D1 or indicate the relevant prior art disclosed therein.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/013764

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. The expression "temperature above that during normal operation" (in section b of the claim) is not clear (PCT Article 6) since "normal operation" of the dishwasher is not defined in claim 1. If normal operation refers to the other modes of operation, another clear version of the expression "temperature above that during the other modes of operation" would be acceptable pursuant to PCT Article 6.
2. It is not clear in the expressions "...from a first mode of operation (71) "cleaning of tableware for milk products"... and ...to a second mode of operation (72) "cleaning of tableware for meat or meat products"... from claim 1 whether the features placed between quotation marks - namely cleaning of tableware for milk and respectively meat or meat products - restrict the scope of the claim or not (PCT Article 6).

In order to eliminate this objection, one possible version of the abovementioned expressions would read:

...from a first mode of operation (71) for
cleaning tableware for milk products...

...to a second mode of operation (72) for
cleaning tableware for meat or meat
products...